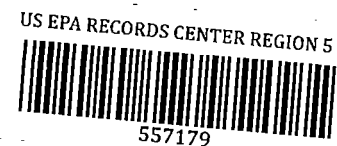


Page No. 1
02/24/95

PIG'S EYE LANDFILL
RECORDS COMPILATIONS
ED'S TRUCKING, INC.



DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
01743	01/09/91	MPCA	EDTRUK	MPCA INFORMATION REQUEST LETTER REGARDING PIG'S EYE	A MPCA INFORMATION REQUEST LETTER WHICH REQUIRES EDTRUK TO PROVIDE INFORMATION REGARDING PIG'S EYE AND FISH HATCHERY'S DUMP.	EDTRUK
01964	02/04/91	MPCA	RUEPLE FOR EDTRUK	LETTER REGARDING EDTRUK'S RESPONSE	A LETTER STATING EDTRUK RESPONSE IS NOT COMPLETE AND IS ATTACHED. THE DOCUMENT ALSO INCLUDES TWO PHONE MEMOS BETWEEN MPCA AND EDTRUK, DISCUSSING EDTRUK'S INCOMPLETE RESPONSE.	EDTRUK



Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155

Telephone (612) 296-6300



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 9, 1991

Ed's Trucking, Inc.
333 Lawson Avenue East
St. Paul, Minnesota 55101

Ground Water & Solid Waste Division Site Response Section	
File Name	_____
Sub File Name	_____
Initial	_____

Dear Sir/Madam:

RE: Requirement To Provide Information
Pig's Eye Dump/Fish Hatcheries Dump

The Minnesota Pollution Control Agency (MPCA) staff has identified a release or threatened release of hazardous substances or pollutants or contaminants at the Pig's Eye Dump/Fish Hatcheries Dump, located in Ramsey County, Minnesota. The MPCA staff is in the process of identifying persons who may be responsible for this release or threatened release.

The MPCA staff has reason to believe that Ed's Trucking, Inc. may have information which is relevant to the release or threatened release from the Pig's Eye Dump/Fish Hatcheries Dump. To facilitate the agency's investigation, the MPCA staff is sending you the enclosed Requirement To Provide Information. As the recipient of this Requirement To Provide Information, you have the legal duty under state law to provide information requested by the MPCA which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants. Information obtained in response to the Requirement To Provide Information will be used by MPCA staff in carrying out their responsibilities, including the identification of responsible persons for the release or threatened release. This is a first Questionnaire; in the future it may be necessary to supplement the information available to MPCA with additional Questionnaires.

Since obtaining this information is an important initial step in the process, your response to the enclosed Questionnaire needs to be submitted within thirty (30) days from the date of the Requirement To Provide Information. The information in your response is vital and will allow us to protect the public health and the environment. Therefore, failure to provide timely, complete and accurate answers to the Questionnaire may result in legal actions by the state of Minnesota to compel disclosure.

Attachment 1 contains instructions for completing the Questionnaire. A list of definitions of words used in the Questionnaire may be found in Attachment 2. Please review both attachments prior to answering the Questionnaire.

Ed's Trucking, Inc.

Page 2

January 9, 1991

The completed Questionnaire and any relevant documents should be mailed to the following address:

Cathy O'Connell, Project Manager
Site Response Section
Ground Water and Solid Waste Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155

Should you have any questions regarding this letter and the enclosed Requirement To Provide Information and Questionnaire, please contact me at (612) 296-7782 .

Sincerely,



Cathy O'Connell
Project Manager
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division

CO:kkn

Enclosures

Questionnaire for Pig's Eye Dump/Fish Hatcheries Dump
and
Request for Production of Documents

1. Identify the full legal name, address and phone number of the business.
2. How many years has the business been in operation?
3. Identify the names and current addresses and telephone numbers of all current and past owner(s) of the business.
4. Identify all permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dates for such permits.
5. Did you haul garbage from businesses or industries to Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972?
6. Did you haul hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump? Include a list of (a) the name and address of all companies and/or individuals the business transported hazardous waste for (b) the type of hazardous waste if known; (c) how the waste was transported; (d) quantity disposed per load; (e) the time period of transportation and disposal of the hazardous waste.
7. How was the garbage and/or hazardous waste picked up from businesses and industries stored (for example, in drums, barrels, dumpsters) for pick up?
8. Did the business ever pick up open or sealed, 55 gallon drums with unidentified contents? If so, please identify the companies and/or individuals names and addresses the drums were picked up from.
9. Identify a list of all business and industrial customers whose garbage and/or hazardous waste you hauled to Pig's Eye Dump/Fish Hatcheries Dump?
10. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business.
11. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents.
12. Identify the insurance carrier held by you or the business during the time period you or the business hauled garbage and/or hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump. Provide the name and address of each insurer and of the insured, amount of coverage under each policy, commencement and expiration data, existence of a "pollution exclusion" clause, and coverage of sudden or nonsudden types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.)

Attachment 1
Instructions for Questionnaire

1. Enclose with your response to the Questionnaire a notarized affidavit from you or an authorized official representing your business attesting to the fact (a) that a diligent search for records relevant to this Questionnaire has been completed and (b) that a diligent interview process has been conducted with present and former employees who may have knowledge of waste generation or other waste management practices at Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972. Any information that you provide in response to the Questionnaire that is based on your personal knowledge, or the personal knowledge of your employees, agents, or other representatives must be submitted in the form of a notarized affidavit.
2. Review the list of definitions in Attachment 2.
3. Make a separate written response to each question. Do not leave any blank questions.
4. Number each of your answers according to the corresponding numbered question. For each document produced in response to the Requirement to Provide Information, identify the number of the question to which it responds on the document or in some other reasonable manner.
5. In answering each question, identify all sources of information consulted in preparing the response.
6. You are required to respond to each question on the basis of any and all information and documents in your possession, custody, or control or the possession, custody, or control of your current or former employees, agents, or contractors, or other person who conducted business on your behalf. Furnish information that is available to you regardless of whether it is based on personal knowledge, and regardless of source.
7. Information necessary to adequately respond to a question may not be known or available on the date your response is submitted. If this is the case, you have a continuing duty to provide the information when it becomes known or available.
8. Respond in writing to each question even if information on which your answer is based has not been recorded in any particular document.
9. If any requested documents have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify (a) each document; (b) the person to whom it was transferred; and (c) the date of the transfer or disposal.
10. You have a duty to provide the requested information even if the information may be considered confidential or a trade secret. If you provide any information that relates to sales figures, processes or methods of production unique to your business, or information that would tend to affect adversely the competitive position of your business if generally known, you may certify this claim at the time you submit your response and the

information so certified will be held nonpublic as provided in Minnesota Statutes, Section 115B.17, subdivision 5 (1990). Any such certification must specifically identify the information that you believe qualifies for nonpublic treatment. If no such certification accompanies the information when it is received by the MPCA, it may be made available to the public by the MPCA without further notice to you.

Attachment 2
Definitions for Questionnaire

For the purpose of your answers to the Questionnaire, the following definitions shall apply:

1. ED'S TRUCKING, INC. "Ed's Trucking, Inc." includes any agent, subcontractor, or any other person who conducted or did business on behalf of "Ed's Trucking, Inc."

2. PIG'S EYE DUMP/FISH HATCHERIES DUMP. "Pig's Eye Dump/Fish Hatcheries Dump" means the property located 1/2 mile southeast of the intersection of Warner Road and Childs Road (an old report lists the address as 1150 Pig's Eye Lake Road), [Ramsey County, Section 10, T28N, R22W] and the property located at the intersection of Warner Road and Childs Road (an old report simply gives the address as Warner Road) [Ramsey County, Section 3, T28N, R22W], St. Paul, Minnesota.

3. YOU; BUSINESS. The terms "you" and "business," means the addressee of the Requirement to Provide Information.

4. DOCUMENT. "Document" means information preserved in any manner which is in the possession of or may be reasonably obtained by the addressee, including information in the possession of the addressee's directors, officers, shareholders, partners, managers, employees, subcontractors, trustees, successors, assigns, and agents, regardless of the location of the document or its classification as privileged or confidential. The term "document" includes but is not limited to the following: correspondence, contracts, agreements, memoranda, telegrams, reports, assignments, personnel records, record books, manifests, logs, scrap-books, diaries, minutes, plans, drawings, photographs, tapes, computer discs, invoices, checks, surveys and analyses.

5. IDENTIFY/Individual. The term "identify" means, with respect to an "individual," to set forth the person's full name, present or last known address, name of the employer, and a description of the job responsibilities of the person.

6. IDENTIFY/Business. The term "identify" means, with respect to a corporation, sole proprietorship, partnership, or other association or business entity, to set forth its full name, address, legal form (for example, corporation, partnership, etc.), and a brief description of the product or service offered by the business.

7. IDENTIFY/Document. The term "identify" means, with respect to a document to provide its customary business description, its date, its number if any (for example, invoice or purchase order number) as well as its author, addresser, addressee and/or recipient, and the substance or the subject matter.

8. PERSON. "Person," as defined in Minnesota Statutes, Section 115B.02, subdivision 12 (1990) means any individual, partnership, association, public or private corporation or other entity, including the United States government, any interstate body, the state and any agency, department or political subdivision of the state.

9. FACILITY. "Facility," as defined in Minnesota Statutes, Section 115b.02, subdivision 5 (1990) means:

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft;

-3-

(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

(c) Any site or area where a hazardous substance, or a pollutant or contaminant, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Facility" does not include any consumer product in consumer use.

10. HAZARDOUS SUBSTANCE. "Hazardous substance," as defined in Minnesota Statutes, Section 115B.02, subd. 8 (1990), means:

(a) Any commercial chemical designated pursuant to the Federal Water Pollution Control Act, under United States Code, title 33, section 1321 (b) (2) (A);

(b) Any hazardous air pollutant listed pursuant to the Clean Air Act, under United States Code, title 42, section 7412, and

(c) Any hazardous waste.

"Hazardous substance" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas, nor does it include petroleum, including crude oil or any fraction thereof which is not otherwise a hazardous waste.

11. HAZARDOUS WASTE. "hazardous waste," as defined in Minnesota Statutes, Section 115B.02, subdivision 9 (1990) means:

(a) Any hazardous waste as defined in section 116.06, subd. 13, and any substance identified as a hazardous waste pursuant to rules adopted by the agency under section 116.07; and

(b) Any hazardous waste as defined in the resource Conservation and Recovery Act, under United States Code, title 42, section 6903, which is listed or has the characteristics identified under United States Code, title 42, section 6921, not including any hazardous waste, the regulation of which has been suspended by Act of Congress.

12. POLLUTANT OR CONTAMINANT. "Pollutant or contaminant," as defined in Minnesota Statutes, Section 115B.02, subdivision 13 (1990) means any element, substance, compound, mixture, or agent, other than a hazardous substance, which after release from a facility and upon exposure of, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in the organisms or their offspring.

"Pollutant or contaminant" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.

13. SOLID WASTE. "Solid waste," as defined in Minnesota Rules, Part 7035.0300, subpart 100 (1990) means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or

-5-

dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste, water effluents or discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

14. RELEASE. "Release," as defined in Minnesota Statutes, Section 115B.02, subdivision 15 (1990) means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur.

"Release" does not include:

(a) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft, or pipeline pumping station engine;

(b) Release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined in The Atomic Energy Act of 1954, under United States Code, title 42, section 2014, if the release is subject to requirements with respect to financial protection established by the federal nuclear regulatory commission under United States Code, title 42, section 2210.

(c) Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailings Radiation Control Act of 1978, under United States Code, title 42, section 7912(a) or 7942(a); or

(d) Any release resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of emptied pesticide containers or residues from a pesticide as defined in section 18A.21, subd. 25.



Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155-3898

Telephone (612) 296-6300



February 4, 1991

John B. Bellows, Jr.
Roedler & Bellows
1075 Landmark Towers
345 St. Peter Street
St. Paul, Minnesota 55102

Ground Water & Solid Waste Division Site Response Section	
File Name	_____
Sub File Name	_____
Initial	_____

Dear Mr. Bellows:

Thank you for your response to the Requirement to Provide Information (RPI). However, the response submitted by Ed's Trucking, Inc. is not a complete one. I believe there has been a misunderstanding as to the business we are referring to in the RPI. As I explained to a representative of Ed's Trucking, Inc. on January 14, 1991, it is the business Ed's Trucking, Inc. that is referred to in the RPI, not just the corporation.

The records we obtained from the city of St. Paul indicate that the business was in operation in 1970. I have enclosed the records pertaining to Ed's Trucking, Inc. to aid you in submitting a more complete response to the RPI. If you have any questions please feel free to contact me at (612) 296-2946.

Sincerely,

Cynthia Gaertner
Legal Assistant
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division

CG:kn

Route to:

(1) _____
(2) _____
(3) _____OFFICE MEMORANDUM

File: _____

Location: Ed's Trucking - John Bellows
(City, Village, Township, Section, Range, County, etc.)

Subject: Response to letter requesting complete RPT

By Whom: Cynthia Goerher Date: 2-5-91

Investigation _____ Office _____ Conference _____ Field _____ Hearing _____ Meeting _____ Phone ☒

Items to be Covered: (1) Those present and/or those interviewed
(2) Situation
(3) Further action, follow-up, recommendations

Indicated that his response to the RPT went way beyond what was asked for and he does not explain understand why I stated that the RPT was not complete.

I explained that I had told someone at Ed's Trucking that the RPT was to be answered in terms of the business. He said it was answered on those terms. He said the answer "N/A" was called for in questions 7-9.

He stated that the city records were inaccurate.

I concluded the conversation by saying we would have to accept his answers.

ROEDLER & BELLOWS

ATTORNEYS AT LAW

GEORGE R. ROEDLER, JR.
JOHN B. BELLOWS, JR.1075 LANDMARK TOWERS
345 ST. PETER STREET
SAINT PAUL, MINNESOTA 55102

(612) 291-8015

January 30, 1991

RECEIVED

JAN 31 91

MPCA. C.
& C.

Ms Cathy O'Connell-Project Manager
Site Response Section
Ground Water and Solid Waste Division
Minnesota Pollution Control Agency
520 Lafayette Rd
Saint Paul MN 55155


Re: Ed's Trucking, Inc.

Dear Ms. O'Connell:

Enclosed as you requested, please find Answers to
Questionnaire for the above named business.

Yours truly,

ROEDLER & BELLOWS


JOHN B. BELLOWS, JR.JBB:jmn
Enclosure

ANSWERS TO QUESTIONNAIRE FOR PIG'S EYE DUMP/FISH HATCHERIES DUMP
and
RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS

1. Identify the full legal name, address and phone number of the business.

ANSWER Ed's Trucking, Inc.
333 East Lawson (registered address)
Saint Paul MN 55101
(612) 771-1280

2. How many years has the business been in operation?

ANSWER Ed's Trucking, Inc. was incorporated March 11, 1981.

3. Identify the names and current addresses and telephone numbers of all current and past owner(s) of the business.

ANSWER Daniel Eggers
1201 Selby Avenue
Saint Paul Park MN 55071
(612) 771-1280

Carolyn Eggers
333 East Lawson
Saint Paul MN 55101
(612) 771-1280

Edward Eggers
333 East Lawson
Saint Paul MN 55101
(612) 771-1280

4. Identify all permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dates for such permits.

ANSWER Rubbish Hauling License, City of Saint Paul, Washington County and Dakota County.

5. Did you haul garbage from businesses or industries to Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972?

ANSWER No. Prior to its incorporation, Ed's Trucking, Inc. transported only residential household trash and garbage. To the best of my knowledge, we did not haul garbage of any sort to either, Pig's Eye Dump/Fish Hatcheries Dump, prior to incorporation of Ed's Trucking, Inc.

6. Did you haul hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump? Include a list of (a) name and address

types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.)

ANSWER N/A

STATE OF MINNESOTA) ss.
COUNTY OF RAMSEY)

Edward W. Eggers, having been duly sworn on oath, deposes and states that he caused Ed's Trucking, Inc. to be incorporated in 1981, and that he has been involved with the business since the time of the incorporation. He further states that there are no records relating to the operation of Ed's Trucking, Inc. for the period 1956 through 1972 because Ed's Trucking, Inc. did not exist at that time. He further states that the three people identified, namely, Edward W. Eggers, Carolyn Eggers and Daniel Eggers, are the only persons with knowledge of the operation of Ed's Trucking, Inc., and that he caused this Questionnaire to be answered after asking the appropriate questions of said individuals.

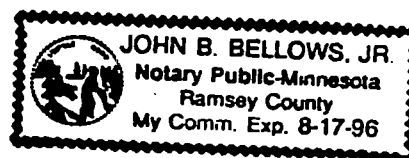
FURTHER AFFIANT SAYETH NOT, except to state this Affidavit is made as requested in the Instructions for Questionnaire, Attachment 1 to Questionnaire for Pig's Eye Dump/Fish Hatcheries Dump and Request for Productions of Documents.

DATED: 1-28-91

Edward W. Eggers
EDWARD W. EGGERS

Subscribed and sworn to before
me this 28th day of June
1991.

Notary Public



Route to:

(1) _____
(2) _____
(3) _____OFFICE MEMORANDUMFile: Pig's EyeLocation: _____
(City, Village, Township, Section, Range, County, etc.)Subject: Ed's Trucking RPTBy Whom: Cynthia Gledner Office _____ Date: 1-14-91Investigation _____ Conference _____ Field _____ Hearing _____ Meeting _____ Phone ☒Items to be Covered: (1) Those present and/or those interviewed
(2) Situation
(3) Further action, follow-up, recommendations

First said Ed's Trucking was not in business until 1981 - he said he had nothing to do with it ~~it~~ was his father's business. His father has been dead 18 years. He said there was no "Ed's Trucking" in 1970. I pointed out that it was on a 1970 city hauler's list. He said it was wrong.

Route to:

(1) _____
(2) _____
(3) _____OFFICE MEMORANDUMFile: Pig's EyeLocation: _____
(City, Village, Township, Section, Range, County, etc.)Subject: Ed's Trucking RPTBy Whom: Cynthia Giedtner Date: 1-14-91Investigation _____ Office _____
Conference _____ Field _____ Hearing _____ Meeting _____ Phone ☒Items to be Covered: (1) Those present and/or those interviewed
(2) Situation
(3) Further action, follow-up, recommendations

First said Ed's Trucking was not in business until 1981- he said he had nothing to do with it it was his father's business. His father has been dead 18 years. He said there was no "Ed's Trucking" in 1970. I pointed out that it was on a 1970 city trailer's list. He said it was wrong.